

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
WOOD COUNTY

State of Ohio
Appellee

Court of Appeals No. WD-11-025
Trial Court No. 2008CR0533

v.

Paul Turner
Appellant

DECISION AND JUDGMENT

Decided: July 25, 2011

* * * * *

James C. Young, for appellant.

* * * * *

PER CURIAM.

{¶ 1} This matter is before the court on the motion of defendant-appellant, Paul Turner, to reconsider our prior decision denying Turner's application for release on bail and suspension of execution of sentence pending appeal. The state has filed no response.

{¶ 2} On June 7, 2011, this court denied Turner's application because it was not supported by affidavit as required under App.R. 8(B) and 6th Dist.Loc.App.R. 17. Turner has submitted an affidavit along with his motion for reconsideration, which

contains the information required under the foregoing rules, and requests that we now review his original application on the merits.

{¶ 3} Turner was sentenced to ten months in prison and five years of postrelease control on one count of gross sexual imposition, with all but 120 days suspended. He was also determined to be a Tier I sex offender. The trial court denied Turner's motion for release on bail during the pendency of his appeal, but has stayed his sentence until his present motion for bail is decided by this court. Without a stay, Turner's jail sentence will likely be served prior to the completion of the appeal process.

{¶ 4} Upon due consideration, Turner's motion for reconsideration is found well-taken, and his request for stay of execution of sentence, including the reporting requirements for a sexual offender, is hereby granted on condition that he post a \$2,500 bond. Upon the posting of the bond, execution on appellant's sentence will be stayed during the pendency of his appeal.

MOTION GRANTED.

Peter M. Handwork, J.

JUDGE

Mark L. Pietrykowski, J.

JUDGE

Stephen A. Yarbrough, J.
CONCUR.

JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at:
<http://www.sconet.state.oh.us/rod/newpdf/?source=6>.